

REMARKS

This is a full and timely response to the outstanding final Office Action mailed January 27, 2004. Upon entry of the amendments in this response, claims 25, 33, 36 – 42, 44, 48 – 51, 55 – 5 and 68 - 70 remain pending in the present application. More specifically, claims 36 and 44 are currently amended. Reconsideration and allowance of the application and presently pending claims, as amended, are respectfully requested.

Indication of Allowable Subject Matter

Applicants first wish to express appreciation for the Examiner's indication of allowable subject matter in which claims 25, 33, 36-42, 44, 48-51, 55-57, and 68 are deemed allowable. Claims 25, 33, 37-42, 48-51, 55-57, and 68 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have overcome the rejection of independent claims 36 and 44, from which these claims depend. Applicants therefore respectfully requests that claims 25, 33, 37-42, 48-51, 55-57, and 68 be allowed.

Claims 36 and 44 were deemed allowable if rewritten or amended to overcome the rejections under 35 U.S.C. § 112, second paragraph. As noted below, Applicants believe that they have overcome this rejection, and therefore Applicants respectfully requests that claims 36 and 44 be allowed.

Rejections Under 35 U.S.C. Section 112, Second Paragraph

Claims 36 and 44 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully traverses this rejection on the grounds that the claim language “substantially free of gold” has a meaning that would be comprehended

by one of ordinary skill in the art. Applicants re-assert their arguments in the Response submitted on October 29, 2003. Nevertheless, to facilitate prosecution of the application and allowance of the claims, Applicants have amended claims 36 and 44. Specifically, Applicants have deleted the phrase “wherein said refractory layer is substantially free of gold.” In addition, Applicants have amended the phrase “said refractory layer is titanium” to read as follows: “said refractory layer consisting essentially of titanium” (emphasis added). Because Applicants have used definite claim language, Applicants respectfully request that the rejection of claims 36 and 44 be withdrawn. Thus, Applicants believe that claims 36 and 44 should now be allowed.

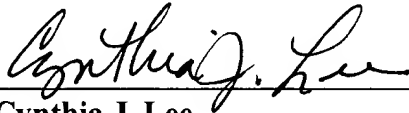
Claim Objections

Claims 69 and 70 have been objected to under 35 U.S.C. §132 for allegedly introducing new matter into the disclosure. Specifically, the Office Action objected to the language “said refractory layer is **entirely free of gold**” as recited in newly added claims 69 and 70. Applicants respectfully traverse and direct the Examiner’s attention to the specification at p. 6, lines 27-30, which describes embodiments that supports the cited claim language. Specifically, the specification states that “[f]or example, refractory layer 401 may be formed from titanium (Ti), tantalum (Ta), molybdenum (Mo), tungsten (W), TiW, TaN, metal nitrides, metal silicides, metal borides, and other high-conductivity materials known to those skilled in the art.” Therefore, Applicants respectfully request that the objection to claims 69 and 70 be withdrawn.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed and/or accommodated, and that the now pending claims 25, 33, 36 – 42, 44, 48 – 51, 55 – 57 and 68 – 70 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephone conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, April 14, 2004.


Signature: Nachele Hemphill